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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

DAVID WELLS,)
)
Plaintiff,) Civil Case No. 06-190-PK
)
vs.) ORDER
)
AIRGAS CARBONIC, INC., a corporation,)
)
Defendant.)

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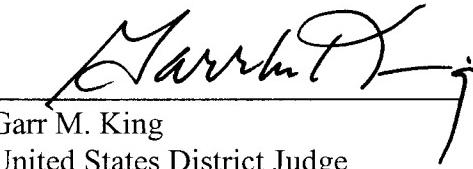
KING, Judge:

The Honorable Paul Papak, United States Magistrate Judge, filed Findings and Recommendation on December 6, 2006. The matter is before this court. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). No objections have been timely filed. This relieves me of my obligation to give the factual findings de novo review. Lorin Corp. v. Goto & Co., Ltd., 700 F.2nd 1202, 1206 (8th Cir. 1983); See also Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed the legal principles de novo, I find no error.

Accordingly, I ADOPT Magistrate Judge Papak's Findings and Recommendation (#42).

IT IS HEREBY ORDERED that the Plaintiff's Motion to Remand Case to State Court (#25) is GRANTED. Defendant's Motion for Summary Judgment (#17) is DENIED as moot.

Dated this 5th day of January, 2007.


Garr M. King
United States District Judge